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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,822	04/20/2001	William L. Cornelius	10007756-1	1586

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EXAMINER

PESIN, BORIS M

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 01/07/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/839,822

Applicant(s)

CORNELIUS, WILLIAM L.

Examiner

Boris Pesin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_                      6) ☐ Other:

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-5, 11, and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Lebel et al. (US Pub No. 2003/0065308).

In regards to claim 1, Lebel discloses a document processing apparatus (i.e. data process, Page 43, Par. [0425]). He further discloses a display (Fig 2, A 36). He further discloses a plurality of user-accessible input points (i.e. keys, Page 11, Par [0119]) configured to generate input point signals (i.e. interrupt signals, Page 21, Par [0201]) in response to being accessed by the user. He further discloses an electronic readable memory device (i.e. memory, Page 11, Par [0120]) comprising descriptions of selected ones of the plurality of user-accessible input points in a plurality of languages (Page 23, Par. [0028]). He further discloses a processor (i.e. ASIC, Page 21, Para [0201]) configured to associate an input point signal (i.e. Interrupt signals, Page 21, Para [0201]) from an input point with a corresponding description of the input point in a preselected one of the plurality on languages and to display the description on the display (Page 23, Para [0228]).

In regards to claim 2, Lebel discloses that in his invention the display is configured to display the description in a dot matrix text format (i.e. dot-matrix display, Page 23, Para [0228]).

In regards to claim 3, Lebel discloses that the electronic memory device is characterized by memory address locations (Page 21, Para [0192]). He further discloses that descriptions of the user-accessible input points (i.e. external memory, Page 21, Para [0192]) are associated with selected memory address locations. He further discloses that the memory address locations of the preselected language (i.e. program data, Page 22, Para [0209]) are stored in a separate description memory address location. He further discloses that the processor (i.e. ASIC, Page 22, Para [0205]) is configured to associate the descriptions of the input points (i.e. data, Page 22, Para [0205]) by accessing the description memory address location.

In regards to claim 4, Lebel further discloses an apparatus that comprises an access connection in communication with the processor, the access connection configured to receive signals from an external access device (i.e. external communication device, Page 48, Para [0442]) to thereby store the memory address locations of the preselected languages in the separate description memory address location (i.e. program data, Page 22, Para [0209]), and wherein the external access device does not comprise part of the document processing apparatus (i.e. external device, Page 48, Para [0442]), and further wherein the memory address locations of the preselected language can only be stored in the separate description memory address

location by the external access device(i.e. operational data can be stored by an external communication device, Page 13, Para [0135]).

In regards to claim 5, Lebel discloses that in response to being accessed by a user, an input point generates the input point signal (i.e. interrupt signal, Page 21, Para [0201]) for a duration of a time equal to the time the input point is accessed. He further discloses that the electronic timer is configured to measure the duration of time the input point is accessed (i.e. duration provided by device, Page 23, Para[0232]). He further discloses that the processor is further configured to associate the input point signal with the corresponding description of the input point in the preselected language when a preselected duration of time is measured by the timer (i.e. the processor is expected to read the input port to determine which key was pressed after receiving a key interrupt, Page 24, Para [0235]).

Claim 11 is in the same context as claim 1; it is therefore rejected under similar rationale.

In regards to claim 18, the difference between claim 1 and 18 is that claim 18 talks about local languages and claim 1 talks about preselected languages. Since one can conjecture that a local language can be a preselected one, claim 18 is in the same context as claim 1, and is therefore rejected under similar rationale.

In regards to claim 19, Lebel's invention discloses corresponding marking in the proximity to the associated user input point, and wherein the markings are not local language descriptions of the user input points. (Figure 2, Element 38 a-e).

In regards to claim 20, the difference between claim 6 and 20 is that claim 20 talks about local languages and claim 6 talks about preselected languages. Since one can conjecture that a local language can be a preselected one, claim 20 is in the same context as claim 6, and is therefore rejected under similar rationale.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lebel et. al. (Pub No. US 2003/0065308) in view of Tkacs et. al. (US 5526268).

In regards to claim 6, Lebel teaches all the limitations of claim 1. Lebel does not teach a selected user input point comprising a user assist input point, and wherein the corresponding description of the user assist input point in the preselected language is a message informing the user how to access descriptions of the remaining plurality of user-accessible input points. Tkacs teaches that, "A control input can be a keyboard to other switch means, but advantageously comprises at least one of a pointing mechanism such as a mouse or a touch screen display. A pointer or touch screen enables the user to point out the portion or area to be translated and permits selections from menu items such as available optional choices."(Column 11, Line 43). It would have been obvious to one of ordinary skill in the art at the time of the invention the modify the teachings of Lebel with the teachings of Tkacs to include a display screen (i.e. menu) that has a plurality of optional choices with the motivation to provide for a system that is independent of language, and can be operated by persons who are fluent in only one of two or more alternative languages.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable Lebel et. al. (Pub No. US 2003/0065308) and Tkacs et. al. (US 5526268) in view of Gulley et al. (US 5790652).

In regards to claim 7, Lebel and Tkacs teach all the limitations of claim 6 as stated in the rejection for claim 6. Lebel and Tkacs do not teach the limitation of having a processor configured in such a way that when the user assist input point and one of the remaining input point are simultaneously accessed by a user, the description in the preselected language which is displayed by the processor is the description of the one

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of the remaining selected input points. Gulley teaches that it is possible "for two or more buttons to be presses simultaneously to create special effects [i.e. a description], in the same way that simultaneous key presses on a computer keyboard may be assigned special significance." (Column 9, Line 16). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Lebel and Tkacs with the teaching on Gulley to include the ability to display a description on the display with the motivation to provide for more information to the user of what the information is.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lebel et. al. (Pub No. US 2003/0065308) in view of Matsuda (JP11053941).

In regards to claim 8, Lebel teaches all the limitations of claim 1. Lebel lacks the limitation of an electronic timer, wherein the electronic timer is configured to measure the duration of time the description of the input point is displayed, and the processor is further configured to stop the display of the description when a preselected duration of time is measured by the timer. Matsuda teaches that, "The turn off time for the display screen is preliminarily stored in a screen deleting time setting part, so that the screen timer part can turn off the display screen by referring to the stored time." (Solution, Line 5). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Lebel with Matsuda to include a timer that determines for how long the screen has been displayed, and then turns it off after a set period of time, with the motivation to provide for power consumption.



Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lebel et. al. (Pub No. US 2003/0065308) in view of Raikes et. al. (US 5009276A).

In regards to claim 9, Lebel teaches all the limitations of claim 1, he further teaches that "A full-duplex link between, the external communication device and an second external device such as the clinician station is provided through the serial communication port. This port provides transmit and receive lines that support infrared LEDs for establishing functional connections to external devices. The transmit and receive lines also support RS232 connections to external devices."(Page 48, Para [0442]). Lebel does not teach a how to receive signals to determine the preselected language. Raikes teaches that "A microprocessor is programmed to receive and process the weight signal, receive the language select signal, select one of the sets of texts in accordance with the language select signal."(Column 1, Line 63). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Lebel with Raikes to include a way to receive the language signal with the motivation to provide for a way of selecting a language to be displayed on the system.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lebel et. al. (Pub No. US 2003/0065308) in view of Jacobs (US 5768142).

In regards to claim 10, Lebel teaches all the limitations of claim 1. Lebel does not teach the limitation of having selected user inputs defined by a first group of user input points and a second group of user input points, and wherein the first group of user

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input points comprise a first user assist input point, the second group of user input points comprise a second user assist input point in the preselected language is a message particular to the first group of user input points, and the corresponding descriptions of the second user assist input point in the preselected language is a message particular to the second group of user input points. Jacobs teaches that, "When any of these help buttons is pressed, a menu of help screens is displayed and the customer is invited to select one or more of the screens that he wishes to see." (Column 16, Line 60). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Lebel with Jacobs to include to show the descriptions of the particular help buttons, or user assist input point with, the motivation to provide for better help functionally to the user.

Claims 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lebel et. al. (Pub No. US 2003/0065308) in view of Cohen (US 6507352).

In regards to claim 12, Lebel teaches all the limitations of claim 11. He further teaches the method of providing a plurality of descriptions of the user input points in a plurality of languages. Lebel does not teach a way of selecting the local language descriptions of the user input points as descriptions to be accessed in response to a user accessing an input point. Cohen teaches that his invention has the functionality of selecting the local language descriptions of the user input points as descriptions to be accessed in response to a user accessing an input point (Figure 50, Element 602). It

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would have been obvious to one of ordinary skill in the art at the time of the invention to modify Lebel with the teaching of Cohen with the motivation provided for increasing the ease of use of the system (Cohen, Column 1, Line 62).

In regards to claim 13, predetermined period of time is interpreted by the examiner to mean any period of time. Lebel teaches all the limitations of claim 11. Lebel does not teach displaying a description of the input point after a predetermined period of time. Cohen teaches that the local language description of the user input point is only displayed after the user has accessed the user input point for a period of time. (Figure 50, Element 648 and 602, when the user presses on element 648 the description with more choices come up in element 602).

In regards to claim 14, predetermined period of time is interpreted by the examiner to mean any period of time. Lebel teaches all the limitations of claim 11. Lebel does not teach a method for turning off the display after some period of time. Cohen teaches that his invention ceases to display to the user the local language description of the user input point after a predetermined, or any, period of time (i.e. sleep, Column 9, Line 23).

In regards to claim 15, Lebel teaches all the limitations of claim 11. Lebel does not teach the limitations of ceasing to display something after another button is pressed. Cohen teaches that his invention ceases to display to the user the local language description of the user input point when the user accesses another user input point (Figure 49 and 50, when one presses the Language button on figure 49, the screen changes to Figure 50).

In regards to claim 16, Lebel teaches all the limitations of claim 11. Lebel does not teach the limitations of designating a user input point as a help button and having the help button assist the user in accessing the other input buttons. Cohen teaches a user input point as a user assist input point (i.e. help button, Figure 50, element 644), and wherein the descriptions of the user assist input point comprises instructions to the user for accessing descriptions of the remaining user input points (Figure 50, Element 644).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lebel et. al. (Pub No. US 2003/0065308) and Cohen et al. (US 6507352) in view of Gulley et. al. (US 5790652).

In regards to claim 17, Lebel and Cohen teach all the limitations of claim 16. He further teaches that after a user assist input point is accessed by the user, the local language description of the user input point is displayed only after the user has accessed the user input point for a predetermined period of time (Figure 50, Element 602 and 664). Lebel and Cohen do not teach the functionality of simultaneously accessing the user assist input point and a second user input point in order to display the local language description of the second user input point. Gulley teaches that it is possible "for two or more buttons to be presses simultaneously to create special effects [i.e. a description], in the same way that simultaneous key presses on a computer keyboard may be assigned special significance." (Column 9, Line 16). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the

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teachings of Lebel and Cohen with the teaching on Gulley to include the ability to display a description on the display with the motivation to provide for more information to the user of what the information is.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


US 20030065308A1	Lebel et al
US006507352B1	Cohen et al
US005768142A	Jacobs
4887311	Garner et al
US005790652A	Gulley et al
US006388951B1	Matsumoto et al
JP02000253141A	Matsuda
5009276	Raikes et al

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (703) 305-8774. The examiner can normally be reached on Monday-Friday with the exception of every other Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
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